

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

MOUNTAIN FUNDING, LLC, a North  
Carolina limited liability company,

Plaintiff,

vs.

BLACKWATER CROSSING, LLC, a  
Florida limited liability company, JAMES  
WILLIAM CULP, MICHAEL DECKER,  
TIMOTHY P. De MAN, DENNIS L. KING,  
DAVID W. MAVER, DAVID A. OFFUTT,  
JEFFERY P. PHILLIPS, LISA D.  
RICHARDSON, VERNIE E.  
RICHARDSON, ELAINE MARIA SIN-  
HIDGE, WAYNE STEWART SIN-HIDGE,  
CELEBRATION DEVELOPMENT GROUP  
LLC, a Florida limited liability company,  
DMK CONSULTING AND  
DEVELOPMENT, LLC, a Florida limited  
liability company, THE DENNIS L. KING  
LIVING TRUST DATED AUGUST 22,  
2000 , a California Trust, FLORIDA  
REALTY, LLC, a Florida limited liability  
company, SUN LIZARDS CONSULTING,  
LLC, a Florida limited liability company, and  
WESTERN SIERRA BANK CUSTODIAN  
FBO DENNIS KING IRA,

Defendants.

**Civil Action No.: 3:05CV513-H**

**ORDER OF COURT**

This matter is before the court upon consideration of the Plaintiff's Motion to Dismiss without Prejudice, and the Court having been advised in pleadings filed by both the Plaintiff and the Defendants that settlement discussions have been taking place in another forum, it is hereby ORDERED, ADJUDGED AND DECREED that his matter is

dismissed in its entirety without prejudice.

Signed: April 23, 2007

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

